

REMARKS

Rejection under U.S.C. § 112

Claims 10-14, 16-21 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Amendments herein presented address the concerns indicated for the noted claims. With regard to claim 23, an amendment has been made to claim 17, from which claim 23 depends. to address the noted deficiency.

Rejection Under U.S.C. § 103(a)

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edmaier et al. (U.S. Patent No. 5,394,854). Edmaier is a fully liquid cooled system for both the primary and the secondary branches. See Edmaier, Col 2, line 55 to Col. 3, line 11. There is no teaching, suggestion or structure in Edmaier for other than liquid cooling and certainly no teaching, suggestion or structure for cooling by means of latent heat including at least the heat of fusion required to melt a mass of snow/ice that is in thermal communication with the first heat exchanger, as is claim 10 of the present application. Accordingly, it is requested that the rejection of claim 10 be withdrawn.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edmaier in view of Hedeem (U.S. Patent No. 5,316,079).

Claim 13 depends from claim 10. Accordingly, the comments above relating to Edmaier are applicable as well here. With respect to Hedeem, the device of Hedeem is an integrated heat exchanger including a single engine coolant radiator and a single air charge cooler. See Hedeem Col. 2, line to Col. 3, line 6. There is no teaching, suggestion or structure in Hedeem for a second air charge cooler operating cooperatively with the single air charge cooler. Claim 13 is expressly limited to first and second exchangers for cooling the air charge. Applicant respectfully traverses the assertion that the device of Hedeem is expressly or impliedly constructed of a thermally conductive material and is mounted to thermally conductive material of the vehicle to enhance thermal conduction from the air charge. Accordingly, it is requested that the rejection of claim 10 be withdrawn.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edmaier in view of Sturges (U.S. Patent No. 4,546,742).

Claim 14 depends from claim 10. Therefore the comments above relating to claim 10 apply here as well. Sturges uses ram air or forced air to cool fluids in a variety of different heat exchangers. Of the variety of different heat exchangers, only a single heat exchanger for the charge air is employed. See Surges, Col. 2, line 57 to Col. 3, line 1. Claim 14, by means of its dependency on claim 10 is limited to two cooperatively acting air charge heat exchangers.

Further, there is no teaching, suggestion or structure in either Edmaier or Sturges for cooling by means of latent heat including at least the heat of fusion required to melt a mass of snow/ice that is in thermal communication with the first heat exchanger, as is claim 10 of the present application. Accordingly, it is requested that the rejection of claim 14 be withdrawn.

Objections

Claims 1-9, 11, 12, 16-21 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and any objections resolved. In a phone conversation with Examiner Lum on 25 October, 2005, Examiner Lum clarified that there are no objections to the allowed claims 1-9.

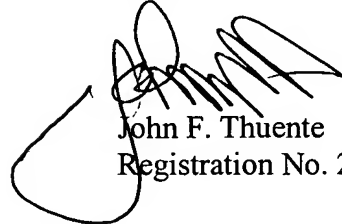
CONCLUSION

Claims 1-14, 16-21, and 23 are pending. Claims 1-9 have been allowed. By this Amendment, claims 10, 16, 17, and 23 are amended.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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